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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/762,881	03/27/2001	Subhash Narang	360.07-US1	1944

34284 7590 07/15/2003

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EXAMINER

PADGETT, MARIANNE L

ART UNIT	PAPER NUMBER
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1762

DATE MAILED: 07/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/16 2,881

EXAMINER
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ART UNIT	PAPER
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8

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

It is noted that preliminary amendment B received in at the PTO on 4/30/03 & dated 4/24/03 crossed in the mail with the rejection of 4/28/03, paper #6. Initial review of the 4/30/03 amendment for a supplemental rejection revealed informalities that require the attacted notice of non-compliance. Preliminary review notes many 112 issues removed & new art issues not yet considered. The terms of uncertain scope: "active"; "integrated"; & "strong" still need defining, or some other remedy. None of the remaining anticedence problems discussed in the rejection & not changed, require correction under the present office policy, but a substitute amendment with correct undelining/crossed-out & numbering of the claims is needed, with clarification of the status of old claim 18 (is it canceled or still a pending limitation?).

  
**MARIANNE PADGETT**  
**PRIMARY EXAMINER**



09/762,881

Paper No. 8

**Notice of Non-Compliant Amendment (37 CFR 1.121)**

The amendment filed on April 30, 2003 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☐ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: claims 18-21 do not correspond to the old claims 18-21 already in the case. It appears that when claim 17 was canceled, the previous claim 18 was dropped, and old claim 19 substituted.  
(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

Therefore, except that the amendments made in the first preliminary amendment of filed with the national stage

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. **A condensed version of a sample amendment format is attached.**

were not included. A substitute amendment is needed to correct these problems. Note, if applicant intends to add 3 new claims, they should be numbered 22-24. Also, there were some informalities fixed

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant **supplies the omission or correction** to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to **supply the omission or correction noted above** in order to **avoid abandonment**. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Legal Instruments Examiner (LIE)

(Rev. 12/01)

by the 4/30/03 amendment that were not properly underlined, nor were changes from the first preliminary amendment. For example, see claim 1, lines 4-5 where "the" has been added before reducer, and "that ... weight" is new, and previously in claim 17 (now canceled).

**MARIANNE PADGETT  
PRIMARY EXAMINER**

## SAMPLE AMENDMENT FORMAT

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Applicant : James Q. Inventor  
Appl. No. : XX/YYY,YYY  
Filed : April 19, 1999  
Title : Griller

Grp./A.U. : 1744  
Examiner : John Doe

Docket No. : 12345/JAS/R758

Honorable Commissioner for Patents  
Washington DC 20231

### AMENDMENT

Sir:

In response to the Office action of October 10, 2000, please amend the above-identified application as follows:

**In the Specification:**

Please replace the paragraph beginning at page 5, line 15, with the following rewritten paragraph:

-- In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars. --

**In the claims:**

Please cancel claim 6.

Please amend claim 7 as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 watts and the weight of the grill member is about 3.5 kg.

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

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**In the specification:**

Paragraph beginning at line 15 of page 5 has been amended as follows:

In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars.

**In the claims:**

Claim 6 has been canceled.

Claim 7 has been amended as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 ~~1600~~ watts and the weight of the grill member is about 3.5 kg.

REMARKS/ARGUMENTS

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Claims 1-5 and 7-10 remain in this application. Claim 6 has been canceled.  
Claim 7 has been amended.

The examiner has acknowledged that claims 1-5 and 7-10 are directed to allowable subject matter. Claim 6 has been canceled as being drawn to an embodiment no longer of interest to applicant. Claim 7 has now been amended to correct editorial errors and clear up any matters of form.

Claim 7 has been amended for the following reasons:

.....  
.....

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

SMITH, JONES & BROWN

BY \_\_\_\_\_

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